

Green Tier Advisors
Notes: April 12, 2006
Room G-09, GEF 2 Building
101 South Webster Street, Madison, WI

Green Tier 101 Presentation by Mark McDermid

Blog Sites present a new option for communications among the Green Tier Advisors. It seems possible to utilize blog technology consistent with the intent of the open meetings law. Two issues remain for staff to address: 1) what should be included in the public notice of the blog; and 2) how to screen content of participation to ensure consistency with what was in the public notice and assure all postings are otherwise appropriate for public broadcast (such as no trade secrets, etc). A blog will be used on an experimental basis.

Discussion of Green Tier Issues/Concerns Specific to the Environmental Community-at-large included comments by: Lori Grant - River Alliance of WI; Steve Hiniker - 1000 Friends of WI; and Arlen Christenson - Midwest Environmental Advocates Board. Their comments about Green Tier follow:

- Sees potential for Green Tier (GT) to reduce water pollution.
- Familiar with Clear Water and ECCODEV charters.
- Sees GT as possible incentive for manure runoff problems.
- Always will be concern(s).
- Hopes the rigor of the program is high.
- Some charters should be taken slowly. ECCODEV could be great but is a bit frightening, so start with a few first. Difficult to back track.
- Reporting about GT must be in plain language ...the Dairy Business Association (DBA) charter would potentially help take away mystery & skepticism.
- The "GT 101" session was a good start towards plain language.
- The Environmental community is under-resourced.
- Difficult to tell where GT is going/how it will be implemented; would like to understand DNR's thinking on direction(s) to go with GT.
- Prefer charters approach - for ease of monitoring.
- 'Superior environmental performance' needs to be repeated over and over.
- Need to extend invites to enviro's –actually recruit them. The Brownfields Study worked that way.
- 1K Friends tends to deal with communities rather than regulated entities, and sees potential for GT in that genre.
- The existing set of regulation is comfortable for legal professionals and others because it's known. But GT isn't known and it's a little daunting because it doesn't have rules. What emerges is a system that relies on the industry to do the government's job. This only works when there's someone without a stake in the process.
- Because the Environmental Management Systems (EMS) are not available to non-DNR staff, there is concern that the rigor of the EMS may be insufficient, especially given some concerns that some minimums for compliance/enforcement actions are already low.

Discussion between the Advisors and the Environmentalists followed:

- Innovation transcends permits; current law is "stifling". Perhaps there should be a goal of a 'permitless agreement', i.e. scrap dealers.

- But what if you're downstream from a bad actor what recourse do you have, especially given that some of current regulations are too light, enforcement is too light?
- GT looks like a huge staff time commitment. Is it really do-able at DNR given current staffing?
- Often rigorous enforcement doesn't exist because of a shortage of staff. Will Green Tier be a program to alleviate DNR staffing problems?
- The 3rd party audit builds trust.
- GT is about differentiation.
- The EMS is the key to having compliance.
- The German experience of the Blue Angel brand made huge difference to consumers. Consumers are the 3rd screen.
- It's part of larger evolution over time. GT started during de-regulation period.
- Quadgraphics started getting new business because of environmental ethics. Perhaps DNR should define 'superior environmental performance' on a sector-by-sector basis.
- The EMS has the story – it will be transparent to DNR.
- There is concern that the current statutory minimums to get into GT are *so* minimal. It might help if DNR assures and demonstrates that its really more than the minimum.

There is consensus that there cannot/should not be two groups: DNR/Advisors and Environmentalists.

It was also agreed that a continuation of this discussion will be on the September agenda.

Discussion arose about possibly using an Environmental Management System to provide a conceptual map of Green Tier -- could an EMS help inform metrics for Green Tier? To provide the means for a better informed discussion of these questions, "EMS 101" (a 90 minute overview of EMS) will be presented immediately prior the next meeting of the Green Tier Advisors.

Discussion of Areas of Emphasis:

Two potential frameworks were presented and discussed. The first uses a matrix to express opportunities to use Green Tier for: a) emerging issues; b) unregulated aspects; c) pressures outpacing actions; and d) building better relationships. The second creates a set of environmental or topical issues around which Green Tier actions would be organized.

- We need to include 'Land Use' when we talk about Green Tier.
- Need to tie Green Tier to specifics and the Topical category does this best.
- The statutory elements should be used.
- But the nine statutory elements may limit us, in terms of considering ways to build business value.

- Because DNR knows about the environment, we should rely on that, and be open to businesses being creative in addressing environmental issues, aspects, etc.
- But we do need to provide some area of focus for staff.
- Charters are a good example of not being limited.
- The matrix model presented is appealing because it's in simple plain language. For example, the categories 'Pressures outpacing actions' is good, but should be expanded to include regulated aspects to complete the map. But it is unclear how this matrix fits with the nine elements, and it seems that it should do so.
- Due to the difficulty and challenges inherent in explaining Green Tier, it's important to keep whatever matrix used, simple-like the topical list presented. One problem with the Matrix is that the category 'Desired state' sends a message to certain sectors.
- But what does it mean to use the topic list? How would it be used/translated into measures?
- The reason *why* we need Areas of Emphasis is that the law requires Areas of Emphasis be identified, for uses such as prioritizing which applications to process. The list not the matrix works better for that.
- But the list would have to change over time, as different environmental issues/priorities emerge.
- Use the list but add parts of the matrix to it, *and* frame it within context of how to use the list.
- Perhaps specific sectors should be identified to add to it too?
- Rather than specific, add examples to the list.
- It's a struggle to impose priorities on applications to process. This suggests that the Green Tier Advisors know best. Can't applications be handled on a first come/first served basis?
- Some of the desired things or desired state are not on the list, but should be.

Discussion will continue at next meeting. Next steps will keep the list as inclusionary as possible. We will aim at a process to discuss how to further refine and organize.

- Perhaps the desired states should be: 1) Educate about Green Tier; and 2) Promote responsible self-management.
- A risk assessment of DNR should drive the list. Criteria should reflect what the DNR sees as problems/priorities. Was the process used a result of a) identifying critical mass issues; b) measurability; or c) if something is do-able?
- It should couple strategic and process.

A draft issue paper should be developed and shared via Blog to discuss 'what our priorities are and why they were selected as priorities'. Rita Hayen volunteered to assist in pulling this together.

Next meeting: July 20, 2006 Tentative Agenda

- "EMS 101"-will start at 10:30 on July 20th and be presented by Rita Hayen, Lyman Wible, and Mark McDermid
- The formal portion of Green Tier Advisors meeting will begin at 12:00 noon; a lunch will be available.
- Discussion of additional ways to involve public participation in GT Advisors meetings
- Continuation of Areas of Emphasis discussion

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Meeting Notes

- Discussion of Performance Indicators
- Emerging Branding/Marketing Issues